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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/716,342	11/20/2000	Fred S. Cook	1470	8608
28005	7590	01/05/2004	EXAMINER	
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			ART UNIT	PAPER NUMBER
			2686	8

DATE MAILED: 01/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/716,342

Applicant(s)

COOK, FRED S.

Examiner

Khawar Iqbal

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-9, 11-13, 16-21, 23, 25, 26, 28, 29 and 31-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 3-9,11-13,16-21,23,25-26,28-29 are rejected under 35 U.S.C. 102(e) as being unpatentable by Sawada (6421544).

3. Regarding claim 11 Sawada teaches a method of altering operation of a device based on location, the device having a set of control logic that defines a first functional response to a first primitive, the method comprising in combination (abstract, 1-5):

when the device is in a given location (inhibit area), the device receiving a control signal associated with the given location (col. 2, lines 12-20, col. 3, lines 45-67), wherein the control signal comprises a set of modified control logic (col. 2, lines 12-25, col. 7, lines 30-65); and

in response to the control signal (changing means), the device changing the set of control logic so as to embody the set of modified control logic (col.2, lines 15-25, col. 12, lines 5-45), wherein changing the set control logic comprises altering the first functional response to the first primitive (col. 2, lines 15-40).

Regarding claim 23 Sawada teaches a method of altering operation of a device based on location, the device having a set of control logic that causes the device to employ a first predetermined primitive in carrying out a first function, the method comprising (abstract, 1-5):

when the device is in a given location, the device receiving a control signal associated with the given location (col. 2, lines 12-20, col. 3, lines 45-67), wherein the control signal comprises a set of modified of control logic (col. 2, lines 12-25, col. 7, lines 30-65) and,

the device in response to the control signal, a performing function selected from the group consisting of (col.13, lines 20-45):

changing the set of control logic so as to embody the set of modified control logic so as to cause the device to employ a second predetermined primitive in carrying out the first function (col. 2, lines 15-25, col. 12, lines 5-45); and

changing the set of control logic so as to embody the set of modified control logic so as to cause the device to employ the first predetermined Primitive in carrying out Second function (col. 2, lines 15-40, col. 14, lines 49-59).

Regarding claims 3,16 and 25 Sawada teaches wherein the first primitive comprises a predetermined signal structure received from a communications interface (col. 3, lines 45-67, col. 7, lines 30-65, col. 10, lines 1-2).

Regarding claims 4,17,26,28 Sawada teaches wherein the first functional response to the first primitive comprises presenting a first signal to a user, and wherein changing the set of control logic comprises a function selected from the group

consisting of (col. 3, lines 45-67, col. 7, lines 30-65): changing the set of control logic so as to disable the device from presenting the first signal to the user in response to the first functional primitive; and changing the set of control logic so as to cause the device to present a second signal to the user in response to the first primitive, instead of presenting the first signal to the user in response to the first primitive (col. 2, lines 15-40, col. 14, lines 49-59, col. 4, lines 9-21).

Regarding claims 5,18,29 Sawada teaches wherein the first signal comprises a signal selected from the group consisting of an audible signal and a visual signal (col. 2, line 66-col. 3, line 23).

Regarding claims 6 and 19 Sawada teaches wherein the predetermined signal structure represents a ring signal (col. 9, lines 50-60).

Regarding claims 7,8 and 20,21 Sawada teaches wherein the first functional response to the ring signal comprises emitting an audible alert signal, and wherein changing the set of control logic so as to alter the first functional response comprises programming the device to not emit the audible alert signal in response to the ring signal (col. 9, lines 50-67, col. 10, lines 23-50, col. 12, lines 20-28).

Regarding claim 9 Sawada teaches further comprising: detecting presence of the device in the given location; and responsively sending the control signal to the device in the given location (col. 3, lines 45-67, col. 7, lines 30-65).

Regarding claims 12,13 Sawada teaches further comprising undoing the alteration of the control logic after the device has exited the given location (col. 4, lines 10-22, col. 14, lines 33-47).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 31-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sawada (6421544) as and further in view of Karaoguz et al (20020059434).

6. Regarding claim 31 Sawada teaches a method of altering functionality of a device based on location, the method comprising, in combination (abstract, figs. 1-5):

when the device is in a given location, the device receiving a control signal associated with the given location (col.3, lines 45-67); and

in response to the control signal, changing the set of control logic so as to alter application-layer functionality of the device (col. 3, lines 45-67, col. 7, lines 30-65).

Sawada does not specifically teach after receiving the control signal but before changing the set of control logic the device prompting a user of the device for approval of changing the control logic. Sawada teaches after receiving the control signal (col. 11, lines 60-62), the key input section 20 fig.2, has various keys including a outputs various operation signals corresponding to the key operations to the CPU 18 (col. 9, line 66-col. 10, line 2), and the CPU 18 detects the change destination mode by referring to the user-specified mode table, changes the mode of the terminal 1 (col. 13, lines 32-36).

In an analogous art, Karaoguz et al teaches after receiving the control signal but before changing the set of control logic the device prompting a user of the device for

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approval of changing the control logic (paragraphs # 0070 and 0086). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Sawada by specifically adding features in order to enhance system performance of user approval or disapprove the control logic to increasing the efficiency of the system as taught by Karaoguz et al.

Regarding claims 33-35 Sawada teaches a method of altering operation of a device based on location, the device having a set of control logic that defines a first functional response to a first primitive, the method comprising in combination (abstract, figs. 1-5):

when the device is in a given location, the device receiving a control signal associated with the given location (col.3, lines 45-67);

in response to the control signal, changing the set of control logic so as to alter the first functional of the first primitive; and (col. 3, lines 45-67, col. 7, lines 30-65, col. 2, lines 15-40, col. 14, lines 49-59). Sawada does not specifically teach after receiving the control signal but before performing the function, prompting a user of the device for approval of change function of the device, and receiving a user response indicating whether or not the user approves. Sawada teaches after receiving the control signal (col. 11, lines 60-62), the key input section 20 fig.2, has various keys including a outputs various operation signals corresponding to the key operations to the CPU 18 (col. 9, line 66-col. 10, line 2), and the CPU 18 detects the change destination mode by referring to the user-specified mode table, changes the mode of the terminal 1 (col. 13, lines 32-36).

In an analogous art, Karaoguz et al teaches after receiving the control signal but before performing the function, prompting a user of the device for approval of change function of the device, and receiving a user response indicating whether or not the user approves (paragraphs # 0070 and 0086). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Sawada by specifically adding features in order to enhance system performance of user approval or disapprove the control logic to increasing the efficiency of the system as taught by Karaoguz et al.

Regarding claims 36 and 37 Sawada teaches a system for adapting device functionality based on location, the system comprising (abstract, figs. 1-5):

a device having a receiver and a processor, the receiver being arranged to receive a control signal (col. 8, lines 35-50) associated with a given location, and the processor being programmed to execute a set of control logic so as to cause the device to carry out a first function in response to a first primitive (col. 3, lines 45-67, col. 7, lines 30-65, col. 2, lines 15-40, col. 14, lines 49-59); and

the processor being programmed to respond to the control signal by performing a function selected from the group consisting of (col.3, lines 45-67):

changing the control logic so as to cause the device to carry out a second function in response the first predetermined Primitive (col. 3, lines 45-67, col. 7, lines 30-65, col. 2, lines 15-40, col. 14, lines 49-59); and

changing the control logic so as to cause the device to carry out the first function in response to a second primitive (col. 3, lines 45-67, col. 7, lines 30-65, col. 2, lines 15-

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40, col. 14, lines 49-59). Sawada does not specifically teach wherein the processor is further programmed to prompt a user of the device for approval of changing the control logic, after the device receives the control signal but before performing the function. Sawada teaches after receiving the control signal (col. 11, lines 60-62), the key input section 20 fig.2, has various keys including a outputs various operation signals corresponding to the key operations to the CPU 18 (col. 9, line 66-col. 10, line 2), and the CPU 18 detects the change destination mode by referring to the user-specified mode table, changes the mode of the terminal 1 (col. 13, lines 32-36).

In an analogous art, Karaoguz et al teaches wherein the processor is further programmed to prompt a user of the device for approval of changing the control logic, after the device receives the control signal but before performing the function (paragraphs # 0070 and 0086). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Sawada by specifically adding features in order to enhance system performance of user approval or disapprove the control logic to increasing the efficiency of the system as taught by Karaoguz et al.

Response to Arguments

7. Applicant's arguments with respect to claims 3-9,11-13,16-21,23,25-26,28-29,31-37 have been considered but are moot in view of the new ground(s) of rejection.

Claims 3,4,8,9,11,12,13,16,18,20-21,23,31-37 have been amended.

Claims 1,2,10,14,15,22,14,27 and 30 have been canceled.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAWAR IQBAL whose telephone number is 703-306-3015.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **BANKS-HAROLD, MARSHA**, can be reached at 703-305-4379.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2684 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Khawar Iqbal



Marsha D Banks-Harold

MARSHA D. BANKS-HAROLD
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